

**Ordinance No. 2021-2**

**An Ordinance Regarding Building, Plumbing, Electrical,  
and Heating and Ventilation Codes**

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

**SECTION I. REPEAL AND ADOPTION OF PROVISIONS.**

Title 15, Chapter 1 of the *Village of Bristol Code of Ordinances* is repealed and re-adopted to read as follows; any and all former ordinances or parts thereof that are in conflict with this Ordinance are hereby repealed:

## Title 15 ► Chapter 1

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# Building, Plumbing, Electrical, and Heating and Ventilation Code

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### Sec. 15-1-1 Building Code Established.

- (a) **Title.** This Chapter shall be known as the "Building Code of the Village of Bristol" and will be referred to in this Chapter as this "Code," "Chapter" or "Building Code."
- (b) **Purpose.** This Chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.

(c) **Scope; Applicability; Statutory Authority.**

- (1) **Scope.** New buildings hereafter erected in, or any building hereafter moved within or into the Village of Bristol, shall conform to all the requirements of this Chapter except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. The provisions of this Chapter supplement the laws of the State of Wisconsin pertaining to construction and use and the Zoning Code of the Village of Bristol and amendments thereto to the date this Chapter was adopted and in no way supersede or nullify such laws and the said Zoning Code.
- (2) **Applicability.** This Building Code applies to all dwellings, commercial buildings/structures, agricultural structures, swimming pools, residential garages, structures, buildings and accessory buildings. Not included are children's play structures, except that zoning setbacks shall be complied with. For purposes of this Chapter, an "agricultural building" is a building on a parcel on which either fifty percent (50%) or a significant portion of personal income is derived from farming operations.
- (3) **Statutory Authority.** These regulations are adopted under the authority granted by Sec. 101.65, Wis. Stats.

(d) **Building Inspector Position(s).** This Chapter may be administered by two (2) different Village of Bristol authorities:

- (1) **UDC Administration.** Construction requiring inspection by a Wisconsin Uniform Dwelling Code (UDC) certified building inspector.
- (2) **Non-UDC Administration.** Construction not required by state law or this Chapter to be inspected by a certified building inspector for which non-UDC permits may be issued by the Building Inspector or another Village-designated official.

## **Sec. 15-1-2 Building Permits and Inspection.**

(a) **Permit Required.**

(1) **General Permit Requirements.**

- a. No owner or contractor may commence construction of any building, or any related electrical, plumbing or mechanical HVAC system prior to obtaining a valid permit from the Building Inspector or as otherwise required by this Chapter. No building of any kind shall be moved within or into the Village of Bristol and no new building or structure, or any part thereof, shall be erected, or ground broken for the same, or enlarged, altered, moved, razed or used withing the Village of Bristol, except as herein provided, until a permit therefore shall first

have been obtained by the owner, or his/her authorized agent, from the Building Inspector or his/her designee.

- b. All applicants for a building permit shall also obtain a zoning permit; a building permit shall not be issued unless a zoning permit is first issued.
  - c. Construction which shall require a building permit prior to commencing work includes, but is not limited to:
    1. New one- and two-family and commercial buildings, including agricultural buildings, detached structures (decks), detached accessory buildings, and buildings where fifty percent (50%) or more of the fair market value of a structure has been destroyed and it is being repaired or altered.
    2. Additions which increase the physical dimensions of a building, including decks.
    3. Alterations to the building structure, the cost of which shall include market labor value, or alterations to the building's heating, electrical, or plumbing systems.
    4. Replacement of major building equipment, including furnaces and central air conditioners, water heaters, and any other major piece of equipment shall require a permit except as noted in this Chapter.
    5. Any electrical wiring for new construction or remodeling, excluding new wiring for existing industrial and manufacturing facilities that do not require State-mandated building plan review.
    6. Any HVAC for new construction or remodeling, which will meet Code requirements when replaced, upgraded or remodeled.
    7. Any plumbing for new construction or remodeling, which will meet Code requirements when replaced, upgraded or remodeled.
    8. Any new or upgraded electrical service which will meet Code requirements when replaced, upgraded or remodeled, including service for agricultural buildings.
    9. Handicapped ramp construction.
    10. Agricultural buildings in properly zoned districts (applicable zoning setback requirements shall be complied with).
    11. Decks, swimming pools and hot tubs.
    12. Roof covering repair or re-roofing of more than twenty-five percent (25%) of the entire roof area. Unless structural calculations are provided, no more than two (2) layers of roofing shall be installed on a roof.
    13. Replacement of in-kind major building HVAC equipment including furnaces, central air conditioners, water heaters, other major pieces of equipment, and plumbing, venting, electrical or gas supply systems when altered.
- (2) **Residential Administrative Building Permit.** An administrative building permit is required for any work with a value of One Thousand Dollars (\$1,000.00 – market value of material and labor) or more where a Uniform Dwelling Code (UDC) building

permit is not required. The following are examples of projects requiring the issuance of a non-UDC administrative building permit:

- a. Roofing repair involving less than twenty-five percent (25%) of the entire roof area.
- b. New siding.
- c. New windows (same size and style).
- d. Sheds under one hundred and fifty (150) square feet.
- e. Small decks, if excepted by the Building Inspector.
- f. Small alterations and remodeling projects, if excepted by the Building Inspector.

(3) **Residential UDC Building Permit.** A UDC building permit, with inspections, is required if a person alters a residential building in excess of One Thousand Dollars (\$1,000.00) in value in any twelve (12) month period or adds on to a residential building an addition in excess of One Thousand Dollars (\$1,000.00) in any twelve (12) month period. If a person moves a building within or into the Village of Bristol, or builds, installs, or assembles a building within the scope of this Chapter, he/she shall first obtain a building permit for such work from the Building Inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require a UDC permit if meeting the thresholds stated above. An electric service change or upgrade requires a UDC permit, regardless of cost.

(4) **Commercial Building Permit.** A building permit is required for all new construction, alterations or additions of commercial buildings or building mechanical systems.

(b) **Exceptions to Building Permit Requirements.**

(1) **Minor Repairs.** The Building Inspector may authorize minor repairs or alterations as defined in Section 15-1-1(d)(5) without a permit that do not change the occupancy, use, area, structural strength, room arrangement, fire protection, access to or efficiency of any existing stairways or exits, light or ventilation of the building.

(2) **Cabinetry.** Repair, refinishing or replacement of interior surfaces and installation of cabinetry shall be exempt from permit requirements.

(3) **Restoration.** Restoration or repair of an installation to its previous Code-compliant condition as determined by the Building Inspector is exempt from permit requirements.

(4) **Alterations and Repairs.** The following provisions shall apply to buildings altered or repaired:

- a. **Alterations.** When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air condition systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Chapter applicable to such occupancy and use and given type of construction.

- b. **Repairs.** Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure or which do not affect room arrangement, light and ventilation, access to or efficiency of any exist stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs.
- (c) **Application; Appropriate Application/Inspection Official.** Application for a building permit shall be made in writing upon a form furnished by the Building Inspector or designee and shall state the name and address of the owner of the land and also the owner of the building if different, contact information (email address and fax, telephone and cellphone numbers), the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put and such other information as the Building Inspector or designee may require. Applications for new one- and two-family residences and additions to existing structures shall be submitted to the UDC-certified Building Inspector or designee. All other applications for non-UDC building permits shall be to either the Building Inspector or Village office designee.
- (d) **Submission of Plans.**
  - (1) **Basic Application Information.**
    - a. Two (2) sets of building plans and specifications shall be submitted to the Building Inspector or designee for any work which expands the size of a building, involves a new building, or as required by this Building Code or by the Building Inspector. [Note: See Section 15-1-4(a) regarding plan submittal for commercial buildings and structures.] If a new building or building addition is proposed, then a plot plan showing such proposed work and existing buildings and property lines shall be submitted.
    - b. One (1) set of plans will be retained by the Building Inspector and one (1) set will be returned upon a satisfactory final inspection. Included with the application shall be a plot plan showing the location and dimensions of all buildings and improvements on the lot, both existing and proposed; dimensions of the lot; dimensions showing all setbacks of all buildings on the lot; water courses or existing drainage ditches; easements or other restrictions affecting such property; seal and signature of the Wisconsin-licensed surveyor; and a construction erosion control plan setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site. The Building Inspector may require written proof of property monumentation.
    - c. A third set of plans may be requested at the discretion of the Building Inspector for the Assessor.
    - d. The Building Inspector may also require the owner or contractor to submit plans for any construction, building moving, or demolition project when the Building

Inspector determines that it is necessary to review such plans to assure that the proposed project will comply with all applicable codes.

- (2) **Erosion Control Plan.** A construction site erosion control plan setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site shall also be filed with the Building Inspector when required for the project. [Note: See Title 15, Chapters 2 and 3].
  - (3) **Scale.** Plans, specifications and plot plans shall be drawn to a minimum scale of one-quarter (1/4) inch to one (1) foot [fireplace details to three-quarters (3/4) inch to one (1) foot].
  - (4) **Filing of Plans.** One (1) set of plans shall be returned after approval as provided in this Chapter. The second set shall be filed in the office of the Building Inspector. Plans for buildings involving the State (Commercial) Building Code shall bear the stamp of approval of the Wisconsin Department of Safety and Professional Services (SPS). One (1) plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer.
  - (5) **Additional UDC Requirements.** Plans for all new one (1) and two (2) family dwellings shall comply with the provisions of Chapter SPS 320.09, Wis. Adm. Code.
  - (6) **Foundation Elevation and Location Confirmation.** A preliminary building permit may be issued as a result of the above submittals, subject, however, to the owner confirming the actual elevations and location of the foundation once it is installed. No further construction work can be completed on the new building until submission of a recertification of the foundation elevations and location, confirming that the foundation elevations and location conform with the original permit and application regulations.
- (e) **Permit Issuance – New Non-UDC Projects.** If the Building Inspector, or designee in the case of non-UDC projects, determines that the building will comply with all applicable ordinances of the Village and all applicable laws and orders of the State of Wisconsin, the Building Inspector or his/her designee shall issue a building permit which shall state the use to which said building is to be put, which shall be kept and displayed at the site of the proposed building. After approval, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the Building Inspector or designee.
- (f) **Approval of Plans; Permit Issuance for UDC Projects.**
- (1) **Plan Approval; Permit Issuance.** If the Building Inspector determines that the UDC-governed building will comply in every respect with all Ordinances and orders of the Village and all applicable laws and orders of the State of Wisconsin, he/she shall issue a building permit which shall state the use to which said building is to be put, which shall be kept and displayed at the site of the proposed building in a location viewed from the road. After being approved, the plans and specifications shall not be altered

in any respect which involves any of the above-mentioned ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the Building Inspector.

- (2) **Preliminary Foundation Permit.** The Building Inspector shall issue the requested building permit for UDC projects as a preliminary permit to construct the foundation if the owner or contractor demonstrates that all state, county and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job site in a visible location from the street. A preliminary permit is valid for six (6) months. A preliminary permit may be extended for a specific time frame upon the Building Inspector's approval and payment of appropriate fees.
- (3) **Recertification; Final Building Permit Issuance.** Upon completion of the foundation, the owner or his/her contractor shall submit data identifying setbacks and elevations. Said information shall be submitted to the Building Inspector who shall review it to determine that local setback and elevation requirements are satisfied. If the existing foundation conforms to the local requirements, a final building permit shall be issued and it shall be posted at the job site in a visible location from the street. A final building permit may be extended for a specific time frame upon the Building Inspector's approval and payment of appropriate fees.
- (4) **Right of Inspection Access.** By accepting a permit, the applicant, owner or contractor grants the Building Inspector the right of access to the real estate on which the permitted construction or demolition will occur.
- (5) **Building Permits Conditioned Upon Compliance with Codes.** All permits are issued conditionally on the condition that the owner and/or contractor(s) shall conform to the requirements of all applicable building codes, zoning ordinances and setback requirements on constructing the building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws or orders, or which involves the safety of the building or the occupants.
- (6) **Partial Building Permit.** In case adequate plans are presented for only a part of a UDC-classified building, the Building Inspector, at his/her discretion, may issue a permit for only that part of the building before receiving the plans and specifications for the entire building.
- (g) **Dedicated Street and Approved Subdivision Required.** No building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated to the Village for street purposes. No building permits shall be issued until the subdivision and required improvements are accepted by the Village Board, unless the Village Board has specifically authorized the use of a private road. If the property is not located on a Village public street, proof of a recorded ingress/egress easement shall also be provided.
- (h) **Required Utilities and Infrastructure.**
  - (1) **Residential Buildings.** No building permit shall be issued for the construction of any residential building until required sewer, water, grading and graveling are installed in



- the streets necessary to service the property for which the permit is required and a receipt for payment of electrical connection is presented to the Building Inspector.
- (2) **Non-Residential Buildings.** No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of required sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested.
  - (3) **Occupancy.** No person shall occupy any building until required sewer, water, grading and graveling are installed in the streets necessary to service the property and a certificate of occupancy shall not be issued until such utilities are available to service the property.
- (i) **Waiver of Plans; Minor Repairs.**
- (1) **Waiver.** If the Building Inspector finds that the character of the work is sufficiently described in the application, the Building Inspector may waive the filing of plans for alterations, repairs or moving, provided the cost of such work does not exceed One Thousand Dollars (\$1,000.00).
  - (2) **Minor Repairs.** The Building Inspector may authorize minor repairs or maintenance work on any structure or to heating, ventilating or air conditioning systems installed therein valued at less than One Thousand Dollars (\$1,000.00), as determined by the Building Inspector, which do not change the occupancy area, exterior aesthetic appearance, structural strength, fire protection, exits, light or ventilation of the building or structure without issuance of a building permit.
- (j) **Inspections.**
- (1) **Required Inspection Requests.** The following UDC inspections shall be requested forty-eight (48) hours (business work days) in advance by the applicant/contractor or property owner as applicable:
    - a. Footing/foundation.
    - b. Rough carpentry, HVAC, electric and plumbing.
    - c. Drantile/basement floor.
    - d. Underfloor plumbing/electric service.
    - e. Insulation.
    - f. Final carpentry, HVAC, electric and plumbing.
    - g. Erosion control.
  - (2) **Failure to Request Inspections.** Failure to request any inspection will be the responsibility of the contractor and property owner.
  - (3) **Manner of Inspections.** Buildings shall be inspected at such times and in such manner as may be necessary to ensure compliance with the laws, codes, ordinances, rules and orders applicable thereto.
  - (4) **Inspections Prior to Enclosing Installations.** Electrical, plumbing or HVAC installations shall not be enclosed nor any structural portion of any building or structure be covered or concealed prior to completion of required inspections and approval by the Building Inspector.

- (5) **Alteration of Approved Work Prohibited.** After approval is granted by the Building Inspector, no portion of any work covered by the inspection or included in such approval shall be altered or changed, except as specifically authorized by the Building Inspector.
  - (6) **Administrative Code Inspection Requirements Incorporated by Reference.** The provisions and regulations of SPS 320.10, Wis. Adm. Code, with regard to inspections of one (1) or two (2) family dwellings are hereby made a part of this Chapter.
  - (7) **Building Inspector Approval for Pre-Inspection Work.** The permit applicant or an authorized representative shall request inspections after each phase of construction is completed. However, construction may proceed if the inspection has not taken place by the end of the second business day following the day of notification or as otherwise agreed between the applicant and the Building Inspector.
- (k) **Inspection Warrants.** If the Building Inspector is denied access to inspect a property, he/she may request the Village Attorney to seek an inspection warrant pursuant to Sec. 66.0119, Wis. Stats.
- (l) **Payment of Fees.** All fees shall be paid to the Village Clerk-Treasurer. Upon presentation of the Clerk-Treasurer's receipt showing that the fees prescribed by this Chapter have been paid, the Building Inspector or his/her designee, upon entering upon the application the number of the receipt, shall issue to the owner or his/her agent a building permit.
- (m) **Permit Validity and Expiration.** A building permit shall lapse and be void unless building operations are commenced within six (6) months or if construction has not been completed within twenty-four (24) months from the date of issuance thereof. Projects with expired permits and without an occupancy permit must be renewed. However, if all of the building's exterior has been completed, the Building Inspector may, for good cause, extend the permit for a period of time not to exceed six (6) months.
- (n) **Revocation of Permits.**
- (1) **Grounds for Revocation.** The Building Inspector, Village Administrator or the Village Board may revoke any building, plumbing or electrical permit, HVAC construction or installation, certificate of occupancy, or approval issued under the regulations of this Chapter and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:
    - a. Whenever the Building Inspector shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning or construction has been issued to him/her.
    - b. Whenever the continuance of any construction becomes dangerous to life or property.
    - c. Whenever there is any violation of any condition or provisions of the application for permit or of the permit.

- d. Whenever, in the opinion of the Building Inspector, there is inadequate supervision provided on the job site.
  - e. Whenever any false statement or misrepresentation has been made in the application for a permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
  - f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Building Inspector for the use of all new materials, equipment, methods or construction devices or appliances.
- (2) **Permit Revocation.** The notice revoking a building, plumbing or electrical certificate of occupancy or approval shall be in writing and may be served upon the applicant of the permit, owner of the premises and his/her agent, if any, and on the person having charge of construction.
  - (3) **Permit Revocation Placard.** A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the Building Inspector.
  - (4) **Construction Unlawful Following Permit Revocation.** After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this Chapter, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Chapter. However, such work as the Building Inspector may order as a condition precedent to the reissuance of the building permit may be performed, or such work as he/she may require for the preservation of life and safety.
- (o) **Report of Violations.** Village officials shall report to the Building Inspector any building activity which is being carried on without a permit as required by this Chapter.
  - (p) **Display of Permit.** Building permits shall be displayed in a conspicuous place on the premises where the authorized building or work is in progress at all times during construction or work thereon.
  - (q) **Change of Use Occupancy Permit.** It shall be unlawful to change the use of any building, structure or premises without first obtaining from the Building Inspector an approval of such change in the occupancy or use and a certificate of occupancy.

## **Sec. 15-1-3      Wisconsin Administrative Codes Adopted.**

### **(a) Adoption of Codes.**

- (1) **Specified Wisconsin Administrative Codes Adopted.** The following Wisconsin Administrative Codes, and any subsequent revisions, pertaining to construction activity are adopted by reference for municipal enforcement and incorporated herein:

SPS	302.21	Plan Review Fee Schedule
SPS	305	Credentials
SPS	316	Electrical Code
SPS	320-325	Uniform Dwelling Code
SPS	326	Manufactured Home Communities
SPS	327	Campgrounds
SPS	361-366	Commercial Building, Energy Conservation, and Heating, Ventilating and Air Conditioning Code
SPS	375-379	Buildings Constructed Prior to 1914
SPS	381-387	Uniform Plumbing Code

- (2) **Commercial and Pre-1914 Buildings Codes.** Chapters SPS 361 through SPS 366, Wis. Adm. Code (Wisconsin State Commercial Building Code), and SPS 375-379, Wis. Adm. Code (Existing Pre-1914 Buildings Code) are hereby adopted and made a part of this Chapter with respect to those classes of buildings to which this Building Code specifically applies. Any future amendments, revisions and modifications of said Wisconsin Administrative Code provisions incorporated herein are intended to be made a part of this Building Code. A copy of said Wisconsin Administrative Code provisions and amendments thereto shall be kept on file with the Office of the Building Inspector.
- (3) **Adoption of Additional Codes.** By virtue of adopting SPS 361.05, Wis. Adm. Code, the following codes are also adopted and incorporated by reference:
- IBC.** The *International Building Code®*, subject to the modifications specified in SPS 361-362, Wis. Adm. Code.
  - IECC.** The *International Energy Conservation Code®*, subject to the modifications specified in SPS 363, Wis. Adm. Code.
  - IMC.** The *International Mechanical Code®*, subject to the modifications specified in SPS 364, Wis. Adm. Code.
  - IFGC.** The *International Fuel Gas Code®*, subject to the modifications specified in SPS 365, Wis. Adm. Code.
- (4) **Violations; Amendments.** Any act required to be performed or prohibited by a Wisconsin Administrative Code provision incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Wisconsin Administrative Code provisions incorporated herein are intended to be made part of this Chapter to secure uniform statewide regulation of one (1) and two (2) family dwellings in the Village of Bristol. A copy of these administrative code provisions and any future amendments shall be kept on file in the office of the Building Inspector.
- (b) **Scope of Uniform Dwelling Code Expanded.** For the purposes of this Chapter, the provisions of the Wisconsin Uniform Dwelling Code are the standards for construction of the following:

- (1) **Additions.** Additions, alterations and major equipment replacements for one and two family dwellings built prior to June 1, 1980.
- (2) **Detached Garages.** New construction residential detached garages shall comply with the following standards if greater than two hundred (200) square feet serving a one or two family dwelling. Grade beam slabs are required for private, residential garages with a continuous floating slab of reinforced concrete and shall not be less than four (4) inches in thickness. Reinforcement shall be a minimum of six by six (6 x 6) inch, number ten (10) wire mesh. The slab shall be provided with a thickened edge all around, eight (8) inches wide and eight (8) inches below the top of the slab. Exempted are "frost free footings" for detached residential accessory buildings; SPS 322, Wis. Adm. Code, shall not apply.
- (3) **Other Detached Accessory Buildings.** Concrete slabs, frost free footings, etc. are not required with non-garage accessory buildings, but if they are installed they shall follow Subsection (b)(2) above and/or SPS 321, Wis. Adm. Code.
- (c) **Existing Buildings.** The "Wisconsin Uniform Dwelling Code" shall also apply to buildings and conditions where:
  - (1) An existing building to be occupied as a one (1) or two (2) family dwelling, which building was not previously so occupied.
  - (2) An existing structure that is altered or repaired, when the cost of such alteration or repair during the life of the structure exceeds fifty percent (50%) of the equalized value of the structure, said value to be determined by the Village Assessor.
  - (3) Additions and alterations, regardless of cost, made to an existing building when deemed necessary in the opinion of the Building Inspector shall comply with the requirements of this Chapter for new buildings. The provisions of Section 15-1-2 shall also apply.
  - (4) Roof Coverings — Whenever more than twenty-five percent (25%) of the roof covering of a building is replaced in any twelve (12) month period, all roof covering shall be in conformity with applicable Sections of this Chapter.
  - (5) Additions and alterations — Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable Sections of this Chapter.
- (d) **Definitions.** The following definitions shall be applicable in this Chapter:
  - (1) **Addition.** New construction performed on a dwelling which increases the outside dimensions of the dwelling.
  - (2) **Alteration.** A substantial change or modification other than a minor repair to a dwelling or to systems (electrical, plumbing, HVAC) involved within a dwelling.
  - (3) **Building Inspector.** The State-certified inspector who performs UDC inspections in the Village of Bristol. For purposes of this Chapter, the title shall also include the official performing plumbing, electrical and HVAC plan reviews and inspections.
  - (4) **Department.** The Wisconsin Department of Safety and Professional Services (SPS).
  - (5) **Dwelling.**
    - a. Any building, the initial construction of which is commenced on or after the effective date of this Chapter which contains one (1) or two (2) dwelling units;  
or

- b. An existing structure, or that part of an existing structure, which is used or intended to be used as a one (1) or two (2) family dwelling.
- (6) **Minor Repair.** A repair performed for maintenance or replacement purposes on any existing one (1) or two (2) family dwelling which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection or exterior aesthetic appearance and which does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair.
- (7) **One (1) or Two (2) Family Dwelling.** A building structure which contains one (1) or separate households intended to be used as a home, residence or sleeping place by an individual or by two (2) or more individuals maintaining a common household to the exclusion of all others.
- (8) **Person.** An individual, partnership, firm or corporation.
- (9) **Uniform Dwelling Code (UDC).** Those Wisconsin Administrative Code provisions and any future amendments, revisions or modifications thereto, contained in the following chapters of the Wisconsin Administrative Code:

SPS	320	Administration and Enforcement
SPS	321	Construction Standards
SPS	322	Energy Conservation
SPS	323	Heating, Ventilating and Air Conditioning
SPS	324	Electrical Standards
SPS	325	Plumbing

(e) **Method of Enforcement.**

- (1) **Certified Inspector to Enforce.** The Building Inspector and his/her delegated representatives are hereby authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code and other Wisconsin Administrative Codes adopted in this Chapter by reference, as applicable. The Building Inspector shall be certified for inspection purposes by the Wisconsin Department of Safety and Professional Services in each of the categories specified under SPS 305, Wis. Adm. Code.
- (2) **Subordinates.** The Building Inspector may assign, as necessary, subordinate inspectors who shall be certified in the categories required by SPS 305, Wis. Adm. Code.
- (3) **Duties.** The Building Inspector shall administer and enforce all provisions of this Chapter and the Uniform Dwelling Code.
- (4) **Inspection Powers.** The Building Inspector or an authorized certified agent may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any such

premises to the Building Inspector or his/her agent while in performance of his/her duties. If refused access to any such premises, the Building Inspector is authorized to apply for a special inspection warrant pursuant to Sec. 66.0119, Wis. Stats.

- (5) **Records.** The Building Inspector shall perform all administrative tasks required by the State of Wisconsin under the Uniform Dwelling Code. In addition, the Building Inspector shall keep a record of all applications for building permits and shall number each permit in the order of its issue. Also, a record shall be kept showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all one (1) and two (2) family dwellings shall be kept.

## **Sec. 15-1-4 Commercial/Agricultural Buildings and Electrical Wiring Installations Jurisdiction.**

### **(a) Certified Municipality Status – Commercial Buildings.**

- (1) **Certified Municipality.** The Village of Bristol has adopted the Certified Municipality Status pursuant to SPS 361.60, Wis. Adm. Code.
- (2) **Responsibilities.** The Village of Bristol shall assume the following responsibilities for the Wisconsin Department of Safety and Professional Services ("Department"):
- Provide inspection of commercial buildings with certified commercial building inspectors.
  - Provide plan examination of commercial buildings with certified commercial building inspectors.
- (3) **Plan Examination.** Specifications, drawings, and calculations for all the types of commercial buildings and structures, except State-owned buildings and structures, to be constructed within the limits of the Village shall be submitted, if the plans are for the following:
- A new building or structure containing less than fifty thousand (50,000) cubic feet of total volume.
  - An addition to a building or structure where the area of the addition results in the entire building or structure containing less than fifty thousand (50,000) cubic feet of total volume.
  - An addition containing no more than two thousand five hundred (2,500) square feet of total floor area and no more than one (1) floor level, provided the largest roof span does not exceed eighteen (18) feet and the exterior wall height does not exceed twelve (12) feet.
  - An alteration of a space involving less than one hundred thousand (100,000) cubic feet of total volume.
  - The Village of Bristol, as a certified municipality, may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof,

in which case plans and specifications shall be submitted to the Department for review and approval.

- f. The Department may waive its jurisdiction for the plan review of a specific project, where agreed to by the Village, as a certified municipality, in which case plans and specifications shall be submitted to the Village, as a certified municipality, for review and approval.

- (4) **Commercial Buildings Plan Submission Procedures.** All commercial buildings, structures, and alterations, including new buildings and additions less than twenty-five thousand (25,000) cubic feet, require plan submission as follows:

- a. Building permit application.
- b. Application for review (SBD-118):
  1. Fees per Table SPS 302.31-2 and SPS 302.31, Wis. Adm. Code.
  2. Fees shall apply to all commercial projects.
- c. Four (4) sets of plans:
  1. Signed and sealed per SPS 361.31, Wis. Adm. Code.
  2. One (1) set of specifications.
  3. Component and system plans.
  4. Calculations showing Code compliance.

- (b) **State Electrical Code Adopted – One- and Two-Family Dwellings.**

- (1) SPS 324, Wis. Adm. Code, and the current version of the National Electric Code, are hereby adopted by reference and made a part of this Chapter and shall apply to the construction and inspection of new one- and two-family dwellings and additions or modifications to existing one- and two-family dwellings. Any future amendments, revisions and/or modifications of said SPS 324, Wis. Adm. Code, provisions are intended to be made a part of this Chapter.
- (2) Subject to any exceptions set forth in this Chapter, the Electrical Code, Volume 1 and Rules of the Electrical Code, Volume 2 of the Wisconsin Administrative Code are hereby adopted by reference and made a part of this Chapter and shall apply to all buildings, except those covered in Subsection (a)(1) above.

- (c) **Local Jurisdiction – Commercial Electrical Wiring Installations and Inspections.**

- (1) SPS 316, Wis. Adm. Code, is hereby adopted by reference in its entirety and made a part of this Chapter. Any future amendments, revisions and/or modifications of said SPS 316, Wis. Adm. Code, provisions adopted by reference are intended to be made a part of this Chapter.
- (2) Per SPS 316.011(1), Wis. Adm. Code, the Village of Bristol elects to locally exercise jurisdiction over the permitting and inspections of commercial and agricultural electrical wiring installations, alterations, reconstructions and extensions involving:
  - a. Public buildings;
  - b. Farms;
  - c. Places of employment;



- d. Campgrounds;
  - e. Recreational vehicle parks;
  - f. Public marinas, piers, docks, and wharves;
  - g. Manufactured home communities; and
  - h. Other locations as established by local ordinance.
- (d) **State Plumbing Code Adopted.**
- (1) The provisions and regulations of Ch. 145, Wis. Stats., and H 81, H 82, H 83 and SPS 325, Wis. Adm. Code, are hereby adopted and made a part of this Chapter by reference and shall extend over and govern the installation of plumbing installed, repaired or altered in the Village of Bristol.
  - (2) Any future amendments, revisions and/or modifications of said Wisconsin Statutes and Wisconsin Administrative Code herein adopted by reference are intended to be made a part of this Chapter.

### **Sec. 15-1-5 New Methods and Materials.**

- (a) **Approval Requirements for New Methods and Materials.** All materials, methods of construction and devices designed for use in buildings or structures covered by this Section and not specifically mentioned in or permitted by this Section shall not be so used until approved in writing by the Wisconsin Department of Safety and Professional Services for use in buildings or structures covered by the Wisconsin State Building Code, except sanitary appliances, which shall be approved in accordance with the State Plumbing Code.
- (b) **Manufacturer's Installation Requirements.** Such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the Wisconsin Department of Safety and Professional Services. The data, test and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the Wisconsin Department of Safety and Professional Services.

### **Sec. 15-1-6 Unsafe Buildings.**

- (a) **Determination; Order.** Whenever the Building Inspector, or Village Board, finds any building or part thereof within the Village of Bristol to be so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human occupancy or use and so that it would be unreasonable to repair the same, such officials may order the owner to raze and remove such building or part thereof, or, if the building can be made safe by repairs, to repair and make safe and sanitary, at the owner's option. Such order and proceedings shall be as provided in Secs. 66.0413 and 823.21, Wis. Stats., and applicable Village ordinances.

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- (b) **Alterations or Repair When Not Permitted.** When any existing building or structure which, for any reason whatsoever, does not conform to the regulations of this Chapter or other municipal ordinances of the Village of Bristol, has deteriorated from any cause whatsoever to the extent that it is considered a menace to public safety and welfare, the Village Board may order that such building or structure be vacated and thereafter demolished and debris removed from the premises.
- (c) **Extent of Deterioration.** The Village Board and its professional consultants shall determine the amount and extent of deterioration of any existing building or structure.

### **Sec. 15-1-7 Disclaimer on Inspections.**

The purpose of the inspections under this Chapter is to improve the quality of housing in the Village of Bristol. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to all inspections under this Chapter: "These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied." In addition, the Village shall be held harmless regarding grade determinations from the curb/street edge.

### **Sec. 15-1-8 Regulations and Permits for Razing Buildings.**

- (a) **Demolition Permit Required.** All persons who demolish or cause to be demolished any structure or part of a structure larger than four hundred (400) square feet within the Village of Bristol shall apply for and obtain a demolition permit from the Building Inspector prior to undertaking any steps to demolish the structure. The Village Assessor shall be notified by the Building Inspector of the issuance of a razing permit.
- (b) **Application.** An application for a permit to demolish all or part of a building shall include the following information:
  - (1) **Owner Information.** The name, address, email address and telephone numbers of the owner of the building on date of application and, if different, on date of demolition;
  - (2) **Contractor Information.** The name, address, email address and telephone numbers of the contractor(s) performing the demolition work;
  - (3) **Project Start Date.** The date upon which demolition is to commence;
  - (4) **Project Completion Date.** The date by which demolition shall be complete;

- (5) **Site Hazardous and Toxic Substances Disclosure.** A list of all hazardous waste and hazardous and toxic substances (as defined by NR 181.12 and 158.03(4), Wis. Adm. Code as amended from time to time) contained in the building, a statement as to whether the building contains asbestos [as defined by Sec. 140.04(1)(a), Wis. Stats.], and a detailed description of the method to be used in removing, transporting and disposing of any hazardous waste, hazardous and toxic substances, and asbestos;
  - (6) **Waste Disposal Information.** A detailed description of how and where the waste materials resulting from the demolition will be transported and disposed of (including the description of the route to be used by trucks in hauling the waste);
  - (7) **Demolition Method Description.** A description of the method of demolition to be used;
  - (8) **Water Runoff and Erosion Control Measures.** A description in detail of all methods to be used to prevent water runoff and soil erosion from the site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site; and
  - (9) **Utilities Release.** Along with the application for permit for demolition, the applicant shall present a release from all utilities serving the property, stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.
- (c) **Demolition.** The demolition shall be conducted in a manner that is safe and that does not adversely affect the environment.
- (d) **Clearing and Leveling the Site.**
- (1) **Debris Removal; Site Grading.** The site of any demolition shall be properly cleared of debris, rubbish and pavement and shall be properly graded and leveled to conform with the adjoining grade of the neighboring property; and when so graded and leveled, the site shall be seeded, sodded or treated in same other manner acceptable to the Building Inspector so as to prevent blowing dust, dirt, or sand. Excavations remaining after demolition shall be filled, graded and leveled off, not later than thirty (30) consecutive days after demolition is completed.
  - (2) **Acceptable Fill.** Excavations from demolished buildings or structures shall not be filled with any materials subject to deterioration. The Building Inspector, upon notification by the permit holder, the owner or his/her agent, in writing and upon forms provided by the Building Inspector for that purpose, shall within seventy-two (72) hours inspect each excavation, or part thereof, before filling any excavation.
  - (3) **Inspections.** It shall be unlawful to fill any such excavation without inspection and approval of the Building Inspector. Voids in filled excavations shall not be permitted. In the event of the unavailability of the Building Inspector to conduct an inspection within the seventy-two (72) hours after written notice; the permit holder, owner or his/her agent may retain the services of a certified, qualified municipal inspection service to obtain an opinion that approves filling of the excavation. Said opinion shall be deemed a sufficient approval by the Village provided that a written copy of the

opinion is delivered to the Village Clerk-Treasurer at least forty-eight (48) hours before filling of the excavation commences.

- (4) **Post-Razing Requirements.** After all razing operations have been completed, the foundation shall be filled at least six (6) inches above the adjacent grade, the property raked clean, and all debris hauled away. All resulting vacant areas shall be properly graded and seeded or planted to restore it to a natural condition. Other restoration plans may be accepted by the Village Board.
- (e) **Removal and Disposal.** Removal, transportation and disposal of all hazardous waste, hazardous and toxic substances, and asbestos shall be conducted in compliance with all applicable state, federal and local statutes, ordinances and regulations. The permit holder shall give the Building Inspector seventy-two (72) hours written notice prior to any removal, transportation or disposal of hazardous waste, hazardous and toxic substances, and asbestos.
- (f) **Miscellaneous Provisions.**
  - (1) **Site Fencing.** A snow fence or other approved barricade shall be provided as soon as any portion of the building is removed and shall remain during razing operations.
  - (2) **Razing Permit Validity.** Razing permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from the date thereof or completed within thirty (30) days from the date of commencement of said work. Any unfinished portion of work remaining beyond the required thirty (30) days must have special approval from the Building Inspector.
  - (3) **Debris Removal.** All debris shall be hauled away at the end of each day for the work that was done on that week. No combustible material shall be used for backfill, but shall be hauled away. There shall not be any burning of materials on the site of the razed building.
  - (4) **Excessive Dust.** If any razing or removal operation under this Section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance.
  - (5) **Vermin.** The permittee shall take all necessary steps, prior to the razing of a building, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building as to prevent the spread and migration of rodents and insects therefrom during and after the razing operations.

## **Sec. 15-1-9 Basements; Excavations.**

- (a) **Basement Subflooring.** First floor subflooring shall be completed within sixty (60) days after a basement is excavated.
- (b) **Fencing of Excavations.** The owner of any premises on which there exists an opening or excavation (including for sewer and water lateral excavations) which is located in close

proximity to a public sidewalk or street right-of-way as to constitute a hazard to pedestrian or vehicular traffic shall erect a fence, wall or railing at least four (4) feet high between such opening or excavation and the public right-of-way before workers leave the job site.

(c) **Closing of Improper Abandoned Excavations.**

(1) **Notice to Owner; Compliance Time.** Any excavation for building purposes or any uncovered foundation which shall remain open for more than forty-five (45) days shall be deemed abandoned and a nuisance and the Building Inspector shall order that unless the erection of the building or structure on the excavation or foundation shall commence or continue forthwith suitable safeguards shall be provided to prevent accidental injury to children or other frequenters or that the excavation or foundation be filled to grade. Such order shall be served upon the owner of record or the owner's agent, where an agent is in charge of the premises, and upon the holder of an encumbrance of record in the manner provided for service of a summons in the circuit court. If the owner or the holder of an encumbrance of record cannot be found, the order may be served by posting it on the premises and make publication in the official newspaper for two (2) consecutive publications at least ten (10) days before the time for compliance stated in the order commences to run. Such compliance time shall be as prescribed in SPS 321, Wis. Adm. Code.

(2) **Compliance.** If the owner of the land fails to comply with the order within the time required, the the Village shall cause the excavation or foundation to be filled to grade. The cost of such abatement shall be charged against the real estate and entered on the next succeeding tax roll as a special charge and shall bear interest at a rate established by the Village Board from the date of the report by the Building Inspector on the cost thereof, pursuant to the provisions of Sec. 66.0703, Wis. Stats.

(d) **Fill Dirt.** Fill dirt used at the site shall be graded within four (4) weeks of delivery/placement.

## **Sec. 15-1-10 Regulations for Moving Buildings.**

(a) **General Requirements.**

(1) **Moving Permit Required.** No person shall move any building or structure greater than two hundred (200) square feet upon any of the public ways of the Village of Bristol without first obtaining a permit therefor from the Building Inspector and upon the payment of the required fee to the Village Clerk-Treasurer. Every such permit issued by the Building Inspector for building moving shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said moving operations shall be continued.

(2) **Tree Damage.** A report shall be made with regard to possible damage to trees. The estimated cost of trimming, removal and replacement of public trees, as determined

by the Village of Bristol, shall be paid to the Building Inspector or Village Clerk-Treasurer prior to issuance of the moving permit.

- (3) **Moving Route Approval.** Issuance of moving permit shall further be conditioned on approval of the moving route by the Village Board.
- (b) **Moving Damaged Buildings.** No building shall be repaired, altered or moved within or into the Village that has deteriorated or has been damaged by any cause (including such moving and separation from its foundation and service connections in case of moved buildings) fifty percent (50%) or more of its equalized value and no permit shall be granted to repair, alter or move such building within or into the Village of Bristol. Furthermore, if the equalized assessed value of the building is not within twenty percent (20%) of the surrounding buildings where the building is proposed to be moved to, no permit shall be granted unless the building is improved to be within the twenty percent (20%). Such determination shall be made by the Building Inspector, who may seek a recommendation from the Village Assessor.
- (c) **Continuous Movement.** The movement of buildings shall be a continuous operation during all the hours of the day and at night, until such movement is fully completed. All such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lights shall be kept in conspicuous places at each end of the building during the night.
- (d) **Street Repair.** Every person receiving a permit to move a building shall, within one (1) day after said building reaches its destination, report that fact to the Village Administrator and Building Inspector, who shall direct Village Public Works personnel to inspect the streets, highways and curbs and gutters over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in as good repair as they were before the permit was granted. Upon the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the Village Board, the Village shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his/her bond responsible for the payment of the same.
- (e) **Conformance with Code.** No permit shall be issued to move a building within or into the Village of Bristol and to establish it upon a location within the Village until the Building Inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the Building Inspector, and he/she shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code and that, when the same are completed, the building as such will so comply with said Building Code. In the event a

building is to be moved from the Village of Bristol to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building may be disregarded.

(f) **Bond.**

(1) **Financial Assurance Required.** Before a permit is issued to move any building over any public way in the Village, the party applying therefor shall give a bond to the Village of Bristol in a sum to be fixed by the Building Inspector and which shall not be less than Ten Thousand Dollars (\$10,000.00), said bond to be executed by a corporate surety or two (2) personal sureties to be approved by the Village of Bristol or designated agent conditioned upon, among other things, the indemnification to the Village for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment together with the costs and expenses incurred by the Village in connection therewith arising out of the removal of the building for which the permit is issued.

(2) **Safety.** Unless the Building Inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the falling into such excavation of children under twelve (12) years of age unlikely, the bond required by Subsection (f)(1) shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Building Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.

(g) **Insurance.** The Building Inspector shall require, in addition to said bond above indicated, public liability insurance covering injury to one (1) person in the sum of not less than Five Hundred Thousand Dollars (\$500,000.00) and for one (1) accident, aggregate not less than One Million Dollars (\$1,000,000), together with property damage insurance in a sum not less than Five Hundred Thousand Dollars (\$500,000.00), or such other coverage as deemed necessary. The Village of Bristol shall be an additional named insured.

(h) **Village Board Approval.**

(1) **Review of Structure.** No such permit shall be issued unless it has been found as a fact by the Village Board by majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same and in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plans of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the

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course of construction in the immediate neighborhood or in the character of the applicable district established by the zoning ordinances of the Village or any ordinance amendatory thereof or supplementary thereto, as to cause a substantial depreciation of the property values of said neighborhood within said applicable district. In case the applicant proposed to alter the exterior of said building after moving the same, he/she shall submit, with his/her application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a cash bond to the Village Board, which shall not be less than Fifty Thousand Dollars (\$50,000.00) to be executed in the manner provided in subsection hereof to the effect that he/she will, within a time to be set by the Village Board, complete the proposed exterior alterations to said building in the manner set forth in his/her plans and specifications. This bond shall be in addition to any other bond or surety which may be required by other applicable ordinances of the Village of Bristol. No occupancy permit shall be issued for said building until the exterior alterations proposed to be made have been completed.

- (2) Upon application being made to the Building Inspector, he/she shall request a meeting of the Village Board to consider application for moving permits which he/she has found comply, in all respects, with all other ordinances of the Village of Bristol. The Village Board may, if it desires, hear the applicant for the moving permit in question and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, give such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time and within forty-eight (48) hours after the close of the hearing, the Village Board shall, in writing, make or refuse to make the finding required by Subsection (h)(1) hereof and file it in the office of Village Clerk-Treasurer who shall send a copy of it to the Building Inspector.

## **Sec. 15-1-11 Construction Sites; Maintaining Clean Streets.**

Village streets are to be kept clean of dirt and debris from all construction sites. The primary contractor for any construction project shall be responsible for sweeping streets of debris within twenty-four (24) hours of the incident. The Village of Bristol will clean said street(s) if the work is not done by the contractor within twenty-four (24) hours of the incident; and charge the current established costs to the contractor for the work. Failure to pay said costs within thirty (30) days of receipt of the billing shall be deemed a violation of this Section, and be subject to the penalty provisions of Section 1-1-6.



## **Sec. 15-1-12 Occupancy Permits.**

- (a) **Occupancy Permit Requirement.** No person shall occupy any dwelling or building for which a permit is required without first obtaining an occupancy permit from the Building Inspector. If upon inspection, the Building Inspector shall find there are no violations, or non-compliances under this Chapter, the Building Inspector shall issue an occupancy permit.
- (b) **Temporary Occupancy Permit.**
  - (1) A temporary occupancy permit for a specified period of time, not to exceed thirty (30) days, may be issued by the Building Inspector where an unusual circumstance exists causing undue hardship on the owners. No temporary occupancy permit shall be issued if the Building Inspector shall find that the non-compliance matters are of a serious health or safety nature.
  - (2) A temporary occupancy permit shall not be in lieu of a final occupancy permit.

## **Sec. 15-1-13 Occupancy Permits for Business Establishments.**

- (a) **Business Occupancy Permits Required.** No person shall use or permit the use of any building or premises or part thereof for any manufacturing, commercial or business purposes whenever such building has been erected, altered, changed, converted wholly or in part to a different use, or where the premises or any portion thereof has become vacant, until a business occupancy permit shall have been obtained from the Building Inspector.
- (b) **Application; Permit Issuance.** Application for a business occupancy permit shall be made upon a form provided by the Building Inspector. Such application shall contain the name of the applicants, and if a corporation, the names of the principal officers and managers, address of the principal officer or manager, location of the premises to be occupied and nature of the business to be pursued on the location, and such other information as the Building Inspector may reasonably require to perform an adequate inspection of the premises. No permit shall be issued to any person for any business operation which would constitute a fire or health hazard, a violation of any ordinance of the Village of Bristol, or any building code or any law of the State of Wisconsin or any regulation by State of Wisconsin administrative agencies.

## **Sec. 15-1-14 Costs for Professional Services.**

- (a) **Need Determination.** Whenever the Building Inspector or the Village Board shall determine that prior to approval of a builder's layout or design, method of construction, utilities or location and service, or other matters relating to the construction of any building or buildings, that the professional advice of the Village Engineer, Village Attorney or any

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architect or other professional service is required by the Building Inspector or by the Village Board in order to make a determination on the builder's application, the cost of such service shall be paid in full by the applicant.

- (b) **Cost Estimates.** The Village Administrator shall make an estimate of such cost and the applicant shall advance said cost in an initial amount not to exceed Two Thousand Dollars (\$2,000.00). In the event that the estimate is not sufficient, the builder shall be notified and an additional sum shall be deposited and, if the sum advanced is more than is required, the excess shall be returned to the applicant.

**Sec. 15-1-15 Fees.**

- (a) **Building Code Fees.** Fees for building, electrical, plumbing, HVAC and other related permits shall be as established pursuant to Section 1-3-1.
- (b) **Double Fees.** If a required permit is not obtained prior to commencement of construction, fees shall be doubled.
- (c) **Payment of Impact Fees as Condition of Building Permit Validity.** All required impact fees, unless expressly excepted in this Section, are to be paid to the Village Clerk-Treasurer within fourteen (14) days of the issuance of a building permit by the Village of Bristol. Impact fee payments shall be the responsibility of the owner of record of the subject parcel at the time the impact fee is imposed on that parcel.

**Sec. 15-1-16 Severability.**

If any section, clause, provision or portion of this Chapter, or of the Wisconsin Administrative Code adopted by reference, is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

**Sec. 15-1-17 Penalties and Violations; Appeals.**

- (a) **Violations; Penalties.** Any building or structure in the Village of Bristol erected, enlarged, altered or repaired or any use hereafter established in violation of the provisions of this Chapter shall be deemed an unlawful building, structure or use. The Building Inspector shall report all such violations to the Village Board and Village Attorney who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use of buildings in violation of this Chapter or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in general penalty provisions of Section 1-1-6 of this Code of

Ordinances. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Building Inspector or other Village officials constitute a defense. Compliance with the provisions of this Chapter may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this Chapter.

(b) **Compliance.**

- (1) **Notice of Noncompliance.** If an inspection reveals a noncompliance with this Chapter or the Uniform Dwelling Code, the Building Inspector shall notify the applicant and the owner, in writing, of the violation to be corrected. All cited violations shall be corrected within thirty (30) days after written notification unless an extension of time is granted pursuant to SPS 320.21, Wis. Adm. Code.
- (2) **Stop-Work Orders.** If, after written notification, the violation is not corrected within thirty (30) days, a stop-work order may be served on the owner or his or her representative and a copy thereof shall be posted at the construction site. Such stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
- (3) **Each Day a Separate Offense.** Each day each violation continues after the thirty (30) day written notice period has run shall constitute a separate offense. Nothing in this Chapter shall preclude the Village of Bristol from maintaining any appropriate action to prevent or remove a violation of any provision of this Chapter or the Uniform Dwelling Code.
- (4) **Double Permit Fees for Violations.** If any construction or work governed by the provisions of this Chapter, the Uniform Dwelling Code, or other applicable Codes adopted and incorporated in this Chapter is commenced prior to the issuance of a permit, double fees shall be charged.

(c) **Appeals.**

- (1) **UDC Appeals.** Any person feeling aggrieved by an order or determination of the Building Inspector on a matter governed by the Wisconsin Uniform Dwelling Code may only appeal such an order to the Wisconsin Department of Safety and Professional Services for a UDC interpretation.
- (2) **Zoning Board of Appeals Review.** Any person feeling aggrieved by an order or a determination of the Building Inspector and/or other Village official administering this Chapter may appeal from such order or determination to the Zoning Board of Appeals. Those procedures customarily used to effectuate an appeal to the Zoning Board of Appeals shall apply.

- (d) **Liability of Village Officials.** Except as may otherwise be provided by the Statute or Ordinance, no officer, agent or employee of the Village of Bristol charged with the enforcement of this Chapter shall render himself/herself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge

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of his/her duties under this Chapter. Any suit brought against any officer, agent or employee of the Village of Bristol as a result of any act required or permitted in the discharge of his/her duties under this Chapter shall be defended by the legal representative of the Village until the final determination of the proceedings therein.

## SECTION II. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

## SECTION III. EFFECTIVE DATE.

This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 12<sup>th</sup> day of April, 2021.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: 4/12/21  
ADOPTED: 4/12/21  
PUBLISHED: \_\_\_\_\_

State of Wisconsin:

County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct, and complete copy of an Ordinance duly and regularly enacted by the Village of Bristol Village Board on the 12<sup>th</sup> day of April, 2021 and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 13<sup>th</sup> day of April, 2021



Amy Klemko, Village Clerk-Treasurer